

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

LORAINÉ FINDLEY,

Plaintiff,

-against-

No. 23-CV-00946-LTS-RFT

HENRY J. CARTER,

Defendant.

-----X

ORDER

Defendant has filed at docket entry no. 100 a “first letter motion for discovery.”

The “letter motion” is noncompliant with the Court’s order and with the relevant federal and local rules regarding the form of motions, and furthermore is insufficient to demonstrate lack of subject matter jurisdiction on the current record. The motion is denied without prejudice to proper summary judgment motion practice.

Any motion for summary judgment by Defendant regarding the subject matter jurisdiction issues argued in the “motion for discovery” must be filed by **September 25, 2024**, and must meet the requirements of Federal Rule of Civil Procedure 56, as well as SDNY Local Rules 7.1 and 56.1, and SDNY ECF Rule 15. Any facts that the Defendant wishes to have considered in connection with the motion must be presented in proper evidentiary form, including any relevant witness testimony or documents.

Defendant is encouraged to contact the Court’s Civil Docketing Unit or ECF Help Desk at (212) 805-0800 with any questions regarding electronic filing.

This order resolves docket entry no. 100.

SO ORDERED.

Dated: New York, New York
September 10, 2024

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge